

SECTION L – INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS OR QUOTERS

L.1 FAR 52.252-1 SOLICITATION PROVISIONS INCORPORATED BY REFERENCE (FEB 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The offeror is cautioned that the listed provision may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this address: www.arnet.gov

Far Reference	Title	Date
52.204-6	DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER	(JUN 1999)
52.222-24	PREAWARD ON-SITE EQUAL OPPORTUNITY COMPLIANCE REVIEW	(FEB 1999)
52.232-38	SUBMISSION OF ELECTRONIC FUNDS TRANSFER INFORMATION WITH OFFER	(MAY 1999)
352.215-1	INSTRUCTIONS TO OFFERORS-Competitive Acquisition	

L.2 FAR 52.233-2 SERVICE OF PROTEST (AUG 1996)

- (a) Protests, as defined in section 33.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the General Accounting Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from:

Centers for Medicare and Medicaid Services
Office of Acquisition and Grants Group
Division of Support Contracts
ATTN: Rich Asher
Contracting Officer
7500 Security Blvd., Mail Stop B3-30-03
Baltimore, MD 21244-1850

- (b) The copy of any protest shall be received in the office designated above within one day of filing a protest with the GAO.

L.3 SPECIAL INSTRUCTIONS

- a. Technical Questions

All technical questions concerning this Request for Proposal shall be submitted in writing no later than **Monday February 23, 2015 1:00 PM Local time, Baltimore Maryland (EST)**, to the following email address APP150491@cms.hhs.gov. Questions shall be submitted by email utilizing the provided attachment J.10 Questions Submission Template, a Microsoft Word 2007 document. **Offerors are advised NOT to submit questions in chart format.** Responses to relevant questions will be provided to all registered in the FBO site for this solicitation and it is the Government's expectation that we shall make them available within 10 days of receipt of the questions. The government reserves the right to determine the relevancy of questions.

b. Notice of Intent to Submit Proposals

Organizations that intend to submit a proposal in response to this solicitation are requested to submit a notice of intent; the notice is not binding and not submitting a notice does not preclude a vendor from submitting a proposal. The notice is for resource planning purposes only. Notice shall be submitted via email to APP150491@cms.hhs.gov no later than **7 calendar days (Thursday March 12, 2015)** from the Government's release of the final responses to the questions.

c. Availability of Funds

Offerors are notified that this solicitation is issued based upon the anticipated availability of funds since funds are not presently available.

Until such time as funds are made available and the contract is executed by the Contracting Officer, the Government has no legal liability for any costs expended by the offeror.

d. Proposal Submission

Offerors are required to submit only an electronic copy of both the Technical and Business proposals. Please note that CMS requires separate attachments for Technical and Business proposals. For packaging purposes and based upon size of potential proposals, offerors may find it necessary to submit multiple emails. Each email must indicate 1 of ___ and the total number anticipated to be received. Timeliness is based upon receipt of all submissions. Electronic submissions shall be in Microsoft Word 2007 and Excel 2007 for compatibility with the CMS systems.

The proposals shall be submitted no later than 1:00 PM local time, Baltimore, MD, Monday March 30, 2015. The following address shall be used for the submissions:

The electronic copy of both the technical and business proposals shall be e-mailed to:

APP150491@cms.hhs.gov

Offerors are responsible for submitting proposals, so that it is received by the time specified above. Based upon the size of the electronic submissions, offerors are advised that the Agency often holds transfer of large documents to after core work hours, so as not to disrupt the normal flow of business. **Therefore, it is recommended that offerors account for possible delay and provide additional transmission of time.**

L.4 PROPOSAL CONTENTS

To be evaluated and considered for a contract award, offerors shall provide a proposal that addresses the following information:

Part I: Organizational Requirements (shall not exceed 2 pages)

The following **"go no go"** criteria have been established to identify organizations most suited to effectively complete the tasks included in the Statement of Work.

In order to meet the intent of federal code PPACA Section 3021, the model approved for the implementation of this activity calls for direct contracting with organizations that fulfill the following organizational requirements:

- Organizations that are national, regional, or state association of hospitals as identified through an organizational charter or agreement and a governing body that represents affiliated members.
- Organizations that function as national affinity organization that represent hospitals which address specific patient and/or regional health issues identified through an organizational charter or agreement and a governing body that represents affiliated members.
- Organizations that hold corporate ownership and operational control of a hospital chain of at least 25 hospitals

Additionally, these organizations must demonstrate the existing capacity (through their own organization and through relationships with other organizations) to collect, track, and monitor hospital quality data and systems in place to support such activities relative to hospitals slated to participate in the PfP. These contracts must be awarded to organizations that have the capacity to complete the contracted tasks as the prime contractor upon award. Failure to provide documentation to support this organizational requirement will remove your proposal from further consideration for this procurement.

Part II: Technical Submission - not to exceed 55 pages single-spaced, font no smaller than 10 point in size and shall focus on the contractor's campaign plan. At a minimum, each plan must address the following required elements:

1. Technical approach/design and implementation plan

The offeror shall make a clear and concise presentation of the technical approach chosen for this contract, including a discussion of elements such as population diversity, demographic variation and settings (e.g., rural, urban...etc). This must be complete and cover all aspects of the SOW. Although a more detailed analytic plan for the research will be developed subsequent to contract award, the offeror should, nevertheless, provide sufficient detail in the proposal to indicate a technical understanding of and capability of performing the requirements of the SOW. Proposals that merely restate the requirements in the SOW without providing substantive descriptions of the planned research, especially the data collection and analysis activities, will be considered technically unacceptable.

Specific topics to be addressed in this section include:

- Task definition and a discussion of potential challenges that are likely to arise in the process of performing this task and how they may be resolved.
- Proposed technical approach to carrying out the work described in the SOW, including a detailed outline of the proposed steps (sub-tasks) to be undertaken.
- Discussion of the specific analyses to be undertaken, including a discussion of why these were selected over other possibilities.
- Detailed description of how information will be managed for this project.
- Detailed discussion of different data sources, their advantages and limitations.
- Evidence of expertise in qualitative data analysis.
- Security Plan for Non CONUS performance (if applicable).

The applicant's design will be judged on the basis of its plan to meet all of the goals of the program, including:

- The applicant's understanding of the issue of hospital quality and safety, particularly knowledge of patient safety issues and avoidance of harm to inpatients.
- Plans to obtain and develop practical solutions /strategies to improve patient safety.

- Plans to disseminate these solutions through a program of educational seminars, meetings, webinars, videos, articles, and on site consulting for hospitals and medical professionals.
- Plans to measure and self-assess the effectiveness of the patient safety program and modify the program in order to improve the program and its effectiveness.

2. Key Personnel / Staff / Professional Experience

The authors of the proposal must be identified. It is to the offeror's competitive advantage if they are the same persons who will carry out the contract, if awarded. CMS deems this procedure necessary to ensure that the capability demonstrated by the thought and substance of the proposal will be applied to the contract.

This section shall describe the educational background, professional experience, and special qualifications that directly relate to the proposed contractor and all professional personnel involved. When consultants or subcontractors are to be employed, the offeror must include their special qualifications, educational background, and experience. The proposal shall specify how the personnel employed under this contract will be integrated organizationally, their proposed responsibilities, and the percentage of time under the contract with the following considerations:

- The applicant has experience in successfully implementing and operating large scale projects related to health care quality and patient safety in hospitals, in a cost effective manner.
- The applicant has experience in successfully operating and coordinating projects to educate medical professionals on patient safety and healthcare quality.
- The applicant has experience in successfully operating conferences, seminars, webinars, and other activities.
- The applicant has sufficient organization structure; staffing, and other key resources identified to successfully implement the program.
- The organization is capable of obtaining buy-in and participation from hospitals and other key participant organizations.

Specific topics to be addressed, for key personnel, include:

- Description of anticipated functions and duties with respect to this Contract.
- Description of relevant training, experience, and publications.
- Specification of anticipated degree of availability for the Contract period, i.e. any other work that might constrain the availability and at what times.
- Description of the formal relationship between the individual and the contractor (for example, employee, employee of subcontractor, consultant).

The proposal shall contain information on how Key Personnel and staff, at a minimum:

- Demonstrated knowledge of topics related to patient safety, reducing all-cause patient harm, HACs, and hospital quality improvement initiatives.
- Demonstrated knowledge of effective care transitions and methods to reduce avoidable readmissions.
- Demonstrated experience designing, implementing, and operating educational campaigns.
- Demonstrated experience conducting educational workshops and conferences via multiple methods.
- Demonstrated experience engaging healthcare providers and hospitals in collaborative learning networks.
- Demonstrated experience tracking quality improvements.

3. Management and Capacity

The proposal shall describe how the offeror will organize and manage the project, how tasks will be sequenced, in what timeframes, and what management control, and coordination mechanisms will be used to assure the timely and successful conduct of this project. In particular, the management plan shall address the procedures used to handle tasks that will occur simultaneously. The proposed management plan shall specify resource allocation and milestone measures by tasks and sub-tasks. This should include a matrix of hours committed to the project by person by task. The management plan shall indicate all tasks that will be subcontracted and how subcontracted work will be monitored. The proposal should demonstrate a well-developed approach for ensuring successful completion of this project.

The offeror should indicate corporate capacity to effectively conduct this project. The proposal must show availability of and access to requisite resources and facilities, such as staff, consultants, and computer and technical equipment.

The applicant, including any subcontractors, will be evaluated on their organizational strength and capacity to successfully carry out all of the goals and tasks.

4. Instructions for Submitting Past Performance Information

Note: Past Performance submission will not count towards the 55 page limit. The offeror should utilize attachment J.13 Past Performance Submission.

a. Definitions:

Relevant – Relevant past performance information is described in FAR 42.1501, General. For the purposes of this request for proposal, 'relevant' is also past performance information which is similar in size, scope or complexity to this contract.

Significant Subcontractor – A subcontractor performing major or critical aspects of the requirements relevant to the prospective contract.

b. Instructions:

The Offeror and its significant subcontractor(s) are required to disclose all of the following for the past performance information:

- All CMS contracts with a period of performance within the last 3 years of the date of this request for proposal;
- All relevant contracts entered into with:
 - Other Federal Government agencies,
 - State Agencies,
 - Local Governments, and
 - Commercial Customers

The Offeror's and significant subcontractor's summary list must include, at a minimum:

- Contract number (if applicable);
- Contracting Officer (Point of Contact, if not a Government Contract);
- Approximate total contract value;
- Contract period of performance, by base and option year(s);
- Description of contracted services/supplies; and,

- How the disclosed contract's past performance information is 'relevant' to the subject solicitation.

As applicable, Offerors may also provide a brief summary of problems encountered on the identified contracts and the Offeror's corrective actions.

Offerors and significant subcontractors without relevant Federal government past performance experience may ask customers to submit a Past Performance Questionnaire (PPQ) directly to the Contracting Officer (See Attachment J.7). Contracts may include those entered into with the State/Local Governments and/or commercial customers.

Part III: Business Submission—not to exceed 20 pages. At a minimum, each business proposal must address the following required elements:

Budgetary information

The Offeror shall submit the following information in its written business proposal:

Labor: Include all direct labor categories broken out by individuals, to be utilized on the contract. For each labor category, please show the expected number of labor hours times hourly labor rate equals resultant total dollar amount within the base. Subcontract direct labor shall be shown in the same manner, however, under the subcontract line item [NOTE: For subcontractors proposed/consultants proposed, the offeror shall provide information on how it obtained adequate price competition or justification for its absence. In addition, the offerors must demonstrate that the proposed subcontractor is not on the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

CMS expects to see the total firm fixed price amount for Base Period of 12 months. The Government will provide only the funding, as agreed to through negotiations, if necessary, for the base 12 months.

The Government reserves the right to request other than certified current cost and pricing data in order to evaluate price proposals submitted in response to this competitive solicitation.

Part IV. Conflict of Interest Submission

Each offeror is required to identify any potential or actual conflicts of interest based upon existing contractor work that may be defined in this contract. The offeror shall not only identify and discuss the conflicts, but also provide the offeror's mitigation strategy. Conflicts will be addressed only at the time of award with final decisions on conflict at the discretion of the Contracting Officer.

All potential offerors that serve as QIO contractors or who may be considering applying for the TCP grants must give consideration to this with respect to the current requirement.

L.5 TREATMENT OF DATA IN PROPOSALS (Freedom of Information Act)

The proposal(s) submitted in response to this request may contain data (trade secrets, business data, e.g., commercial information, financial information, and cost and pricing data; and technical data) which the State and/or any proposed subcontractor(s), do not want used or disclosed for any purpose other than for evaluation of the proposal. The use and disclosure of any data may be so restricted, provided, that the Government determines that the data is not required to be disclosed under the Freedom of

Information Act (FOIA).

In accordance with U.S.C. 552, as amended, an offeror may mark the cover sheet of its proposal with the following legend, specifying the particular portions of the proposal which are to be restricted in accordance with the conditions of the legend.

"Unless disclosure is required by the Freedom of Information Act, 5 U.S.C. 552, as amended, (the Act) as determined by Freedom of Information (FOI) Officials of the Department of Health and Human Services, data contained in the portions of this proposal which have been specifically identified by page number, paragraph, etc. by the offeror as containing restricted information shall not be used or disclosed except for evaluation purposes."

The Government's determination to withhold or disclose a record will be based upon the particular circumstances involving the record in question and whether the record may be exempted from disclosure under the FOIA.

The offeror acknowledges that CMS may not be able to withhold a record (data, document, etc.) nor deny access to a record requested pursuant to the Act and that the FOI Officials must make that determination. The offeror hereby agrees that the Government is not liable for disclosure if CMS has determined that disclosure is required by the Act.

The offeror also agrees that the Government is not liable for disclosure or use of unmarked data and may use or disclose the data for any purpose, including the release of the information pursuant to requests under the Act.

Offerors are cautioned that proposals submitted with restrictive legends or statements differing in substance from the above legend may not be considered for award. The Government reserves the right to reject any proposal submitted with a nonconforming legend.